IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 16TH JULY 2007 / 25TH ASHADHA 1929

WP(C).No. 14247 of 2007(U)

PETITIONER:

V.I.ANTONY, AGED 46 YEARS,
S/O.INASU, VAZHAPPARAMBIL, MARATHAKKARA P.O.,
THRISSUR.

BY ADV. SRI.P.G.SURESH,
SRI.C.V.MANUVILSAN,
SRI.G.SUDHEER.

RESPONDENTS:

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1. **THE DISTRICT COLLECTOR,**
   THRISSUR.

2. **THE RDO, THRISSUR.**

3. **THE TAHSILDAR, MUKUNDAPURAM,**
   THRISSUR.

4. **VILLAGE OFFICER, KALLUR,**
   THRIKKUR, THRISSUR.

5. **THE GEOLOGIST, DEPARTMENT OF MINING**
   AND GEOLOGY, THRISSUR.

W.P.(C). NO.14247/2007:

***ADDL.R6. THRIKKUR GRAMA PANCHAYAT,**
REPRESENTED BY ITS SECRETARY,
THRIKKUR, THRISSUR.

***IS IMPLEADED AS PER ORDER DTD. 08/05/2007**
IN I.A. NO. 6193/2007.

BY GOVERNMENT PLEADER SRI. SABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.14247/2007:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE DEED EVIDENCING THE OWNERSHIP OF SAID PROPERTY.

EXT.P.2: COPY OF THE TAX RECEIPT ISSUED TO THE PETITIONER.

EXT.P.3: COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE R.4. TO THE PETITIONER.

EXT.P.4: COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY THE STATE DIRECTOR OF KHADI AND VILLAGE INDUSTRIES COMMISSION.

EXT.P.5: COPY OF THE LICENSE ISSUED BY THE THRIKKUR GRAMA PANCHAYAT UNDER SECTION 232, 233, 234, 254 OF THE KERALA PANCHAYAT RAJ ACT.

EXT.P.6: COPY OF THE QUARRYING PERMIT NO. 108/06-07/MM/QP/BC/963/G/TDO/07 DTD. 19/03/2007.

EXT.P.7: COPY OF THE REPORT SUBMITTED BY THE R.4. BEFORE THE R.2.

EXT.P.8: COPY OF THE STOP MEMO DTD. 02/04/2007.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

S. SIRI JAGAN, J.

WP(C) NO.14247 OF 2007 - U

Dated this the 16th day of July, 2007

J U D G M E N T

The petitioner has approached this Court challenging Ext.P8 stop memo issued by the fourth respondent by which the petitioner has been directed to stop mining of clay from his property.

2. The fifth respondent has filed a counter affidavit to the effect that the fourth respondent has no jurisdiction to issue Ext.P8 stop memo. That being so, Ext.P8 is liable to be quashed. I do so. However, this will not stand in the way of the appropriate authority to take appropriate steps in the matter, notwithstanding this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007